

# Committee on Resources

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## Witness Testimony

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**Statement by Maureen Finnerty ,**  
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National Park Service,  
United States Department of The Interior,  
Before The House of Representatives  
Subcommittee on National Parks And Public Lands,  
Concerning H.R. 1849,  
A Bill to Establish The Oklahoma City National Memorial as  
A Unit of The National Park System And  
To Designate The Oklahoma City Memorial Trust.  
September 9, 1997

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear before you to address H.R. 1849, a bill to establish the Oklahoma City National Memorial as a unit of the National Park System and to create a government corporation known as the Oklahoma City Memorial Trust to manage the memorial. First and foremost, let me say that we support the goal of establishing the memorial as a unit of the National Park System. The significance of the tragedy of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, and the meaning and implications of this event for our nation, compel the establishment of this memorial as a visible and prominent national shrine. While we support the establishment of this memorial, we have significant concerns over certain aspects of its management as proposed in H. R. 1849 and strongly recommend an alternative management arrangement. In raising these concerns, we share the sponsors' goals for expeditiously creating an excellent, well-managed national memorial that appropriately communicates and reflects the meaning of the Oklahoma City bombing to the nation.

If enacted, H.R. 1849 would create a new unit of the National Park System in Oklahoma City-- a memorial to recognize the profound changes brought to so many lives the morning of April 19, 1995. The legislation would direct the National Park Service, upon the request of the Oklahoma City Memorial Trust, to provide technical assistance to the Trust and, along with other Federal agencies, to carry out day-to-day visitor service programs at the memorial.

After the bombing of the Alfred P. Murrah federal building, President Clinton declared a national day of mourning for the victims of the bombing. He asked the people of the United States to pray for the victims and the community when they gathered in their places of worship. The President also traveled to Oklahoma City on that Sunday to participate in a memorial service for the bombing victims. At the service, the President personally thanked all those who worked heroically to save lives and he pledged to do all he could to help heal the injured, and to rebuild the city. The President promised to stand by the people of Oklahoma City for as long as it took. Creating a permanent memorial for the victims of the bombing helps fulfill the spirit of that pledge.

After the Oklahoma City bombing, citizens throughout the nation expressed their solidarity in many ways.

Along with the national day of mourning and the rededication of public servants to their calling, personal mementos were left, and continue to be left at the site of the bombing. Through mayoral and citizen action, the Oklahoma City Memorial Foundation was established to create an appropriate memorial on the site. The Foundation has done a tremendous job of involving the public, defining its mission and goals, and holding a design competition for the memorial. Building upon these local efforts is the legislation introduced by the Oklahoma delegation.

While the circumstances compelling the establishment of a national memorial to the Oklahoma City tragedy as a unit of the National Park System are extraordinary, the approach to managing this memorial should benefit from proven National Park Service models. Because the National Park Service was not part of the process that developed the Intergovernmental Letter of Understanding, dated October 28, 1996, we could not provide our suggestions at that time. We appreciate the opportunity provided by the legislative process to share our views now about the most appropriate and effective role for each organization and governmental entity involved in the memorial.

Mr. Chairman, we support the objective that this new unit of the National Park System be managed and administered in close cooperation with, and with the full involvement of, local citizens and entities. As proposed, however, the legislation provides no role to the National Park Service in the management or administration of this new park unit unless the Oklahoma City Memorial Trust requests its involvement for certain limited purposes. Essentially, the legislation provides complete control over this new park unit to the Oklahoma City Memorial Trust, a wholly-owned government corporation. This management approach raises several concerns and should be re-evaluated in light of other proven approaches which incorporate substantial local involvement and utilize public/private partnerships for specific purposes.

One significant issue for reconsideration is the establishment of the Oklahoma City Memorial Trust as a wholly-owned government corporation. In a 1995 report prepared by the Congressional Research Service for the Senate Committee on Governmental Affairs, a government corporation was defined as "an agency of the government, established by Congress to perform a public purpose, which provides a market-oriented service and produces revenue that meets or approximates its expenditures." The transmittal letter from the Committee stated that "government corporations are an appropriate option only when certain conditions are present, such as a sustainable, commercial-type revenue stream, and that the misuse of the corporate concept can actually result in a weakened capacity of the executive branch to meet its statutory requirements and the capability of Congress to hold agencies accountable for their activities and financial obligations."

The only example of the use of a government corporation in the National Park System is the Presidio Trust, established by legislation enacted last November. The Presidio of San Francisco presented a tremendous management challenge. The military transferred an enormous complex with many buildings to the National Park Service. In that case, the National Park Service needed the expertise of people familiar with business and real estate in the City of San Francisco who could effectively lease buildings and provide other mechanisms to assure that the Presidio's buildings were protected. While entrepreneurial revenue-generating goals are appropriate for the Presidio, we question whether they are as appropriate for the memorial.

It was clear to us from the testimony given at the field hearing in Oklahoma City that it is the wish of local citizens and the State of Oklahoma to retain a strong level of local control and involvement in all aspects of the memorial's operation and interpretation. We believe that the legislation could best achieve this by directing the National Park Service to manage the memorial in cooperation with the Oklahoma City Memorial Foundation, which could operate without the Federal restrictions that would be imposed on a government corporation. The general guidance for this cooperative effort could be outlined in legislation,

and the specific aspects of the partnership developed through cooperative and interagency agreements.

We would be pleased to provide examples of public laws for existing National Park System units which involve partnerships with municipal or private institutions, as well as examples of cooperative and interagency agreements at existing National Park System units. Clearly, there is a need for the Oklahoma City Memorial Foundation to continue in its role as fundraiser for the construction of the memorial and to establish an endowment to ensure the continued maintenance and preservation of the memorial. We believe that many existing National Park System units can serve as legislative models for a partnership which would include the Foundation, as well as Federal, State and local agencies.

We commend Congressman Lucas, and the other members of the Oklahoma delegation in their efforts to appropriately memorialize the lives of the innocent victims of the Oklahoma City bombing. We look forward to working closely with the delegation and the Committee staff in developing a legislative concept which will work well for the Oklahoma City Memorial Foundation, the National Park Service, and all of those who have been affected by this tragic event.

That completes my remarks Mr. Chairman. I would be happy to answer any questions that you may have.

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